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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

CASE NO. 2:14-cr-00315-JCM-VCF-1

9 Plaintiff,

10 vs.

11 ROBERT BUCKHANNON,

12 Defendant.

13 **STIPULATION AND ORDER TO CONTINUE SENTENCING (FOURTH REQUEST)**

14 **IT IS HEREBY STIPULATED** by and between Robert Buckhannon, Defendant,  
15 through his counsel, Michael V. Cristalli, Esq., of the law firm of Gentile Cristalli Miller Armeni  
16 Savarese, and the Plaintiff, United States of America, through Dayle Elieson, Esq., United States  
17 Attorney, and Kathryn Newman, Esq., Assistant United States Attorney, that the sentencing  
18 currently scheduled for March 26, 2018, at 10:00 a.m. be vacated and continued to a date and  
19 time convenient to the Court but not earlier than sixty (60) days.  
20

21 This Stipulation is entered into for the following reasons:

22 1. This is the fourth request to continue Mr. Buckhannon's sentencing in this matter.  
23 2. The United States is still contemplating the filing a 5K1.1 Motion.  
24 3. Defense counsel Mr. Michael Cristalli is out of the jurisdiction due to an unforeseen  
illness and death in his immediate family.  
25 4. The United States needs additional time to consider the Mr. Buckhannon's cooperation  
for purposes of USSG 5K1.1.  
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1       5. The additional time requested herein is not sought for purposes of delay and the denial  
2           of this request for a continuance could result in a miscarriage of justice.  
3       6. For all the above-stated reasons, the ends of justice would be best served by the  
4           continuance of the sentencing date.

5     DAYLE ELIESON  
6     UNITED STATES ATTORNEY

7     DATED this 20th day of March, 2018.

8     /s/Kathryn Newman  
9     DAYLE ELIESON  
10    United States Attorney  
11    KATHRYN NEWMAN  
12    Assistant United States Attorney  
13    *Attorney for Plaintiff,*  
14    *United States of America*

5     GENTILE CRISTALLI  
6     MILLER ARMENI SAVARESE

7     DATED this 19<sup>th</sup> day of March, 2018.

8     /s/Michael V. Cristalli  
9     MICHAEL V. CRISTALLI  
10    Nevada Bar No. 6266  
11    *Attorney for Defendant,*  
12    *Robert Buckhannon*

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

**UNITED STATES OF AMERICA,**

CASE NO. 2:14-cr-00315-JCM-VCF-1

**Plaintiff,**

VS.

5 ROBERT BUCKHANNON,

Defendant.

## **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

9       Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
10      Court hereby finds that:

## **CONCLUSIONS OF LAW**

12       Based on the fact that counsel has agreed to a continuance, the Court hereby concludes  
13      that:

14       1. This is the fourth request to continue Mr. Buckhannon's sentencing in this matter.

15       2. The United States is still contemplating the filing a 5K1.1 Motion.

16       3. Defense counsel Mr. Michael Cristalli is out of the jurisdiction due to an unforeseen

17              illness and death in his immediate family.

18       4. The United States needs additional time to consider the Mr. Buckhannon's cooperation

19              for purposes of USSG 5K1.1.

20       5. The additional time requested herein is not sought for purposes of delay and the denial

21              of this request for a continuance could result in a miscarriage of justice.

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6. For all the above-stated reasons, the ends of justice would be best served by the continuance of the sentencing date.

## **ORDER**

**IT IS HEREBY ORDERED** that the sentencing in this matter scheduled for March 26, 2018, at the hour of 10:00 a.m., is hereby vacated and continued to the **30th day of May, 2018** **at 10:30 a.m.**

**DATED** March 21, 2018.

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**JAMES C. MAHAN**  
**UNITED STATES DISTRICT COURT JUDGE**  
**CASE NO.: 2:14-cr-00315-JCM-VCF-1**